



Control Number: 50595



Item Number: 158

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## Public Utility Commission of Texas

### Employee Training Report Required by 16 Texas Admin. Code § 25.97(d)



**PROJECT NO.** 50595

**AFFECTED ENTITY:** City of Yoakum

#### General Information

Pursuant to 16 Texas Admin. Code § 25.97(d)(2), not later than the 30th day after the date an affected entity finalizes a material change to a document or training program, the affected entity must submit an updated report. The first report must be submitted not later than May 1, 2020.

#### Instructions

Answer all questions, fill-in all blanks, and have the report notarized in the Affidavit.

#### Affidavit

A representative of the affected entity must swear to and affirm the truthfulness, correctness, and completeness of the information provided by attaching a signed and notarized copy of the Affidavit provided with this form.

#### Filing Instructions

Submit four copies (an original and three copies) of the completed form and signed and notarized Affidavit to:

Central Records Filing Clerk  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
Telephone: (512) 936-7180

**1. Provide a summary description of hazard recognition training documents you provide your employees related to overhead transmission and distribution facilities.**

The City of Yoakum received Handouts from our TEC Safety Instructor that our Electric Superintendent went over with our Electric Crew. (Sign in Sheet attached) Our Safety instructor Mike Finnel With TEC is just getting over Covid 19 and will perform his formal traing for us in September. (( the first opening on his calender since recovering).

the handouts he provided are Texas Utilities Code section 38.102 reports on safety processes and inspections a-h and Section 38.004 Minimum Clearance Standard sections a-b with the listed lakes, and also the 2017 NESC Vertical Clearances.

- 2. Provide a summary description of training programs you provide your employees related to the National Electrical Safety Code for construction of electric transmission and distribution lines.**

the handouts were read aloud to the electric department and questions were asked and answered.

The City of Yoakum holds Safety meetings monthly for all departments and TEC provides us Quarterly Safety meetings to all Departments for 2 hours and the final 2 hours of their meeting are specific to the electric department that only they attend.

**AFFIDAVIT**

I swear or affirm that I have personal knowledge of the facts stated in this report or am relying on people with personal knowledge, that I am competent to testify to them, and that I have the authority to submit this report on behalf of the affected entity. I further swear or affirm that all statements made in this report are true, correct, and complete.



Signature

Michael Bennett

Printed Name

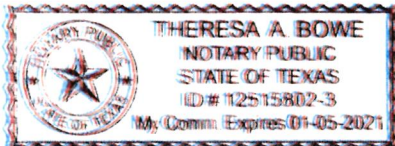
Director Public Works

Job Title

City of Yoakum

Name of Affected Entity

Sworn and subscribed before me this 22nd day of July, 2020,  
Month Year



Theresa A. Bowe  
Notary Public in and For the State of Texas  
81X85X88XX

My commission expires on 01/05/2021

CITY OF YOAKUM  
SAFETY MEETING ATTENDANCE FORM

Date Presented: 7/17/2020 Victor Gomez

Topics Discussed: Requirements- Training  
Texas Utilities Code

Department	Name	Title
Electric	Gomez, Victor	Electric Superintendent
Electric	Trevino, Johnny	Foreperson
Electric	Eggemeyer, Kenneth	Lineperson II
Electric	Fornallo, Neal	Groundsperson
Electric	Stehle, Bretlee	Groundsperson

Signature
<u>Victor Gomez</u>
<u>Johnny Trevino</u>
<u>Kenneth Eggemeyer</u>
<u>Neal Fornallo</u>
<u>Bretlee Stehle</u>

## **Requirements – Training Texas Utilities Code**

### **SECTION. 38.102. REPORTS ON SAFETY PROCESSES AND INSPECTIONS**

- (a) Each electric utility, municipally owned utility, and electric cooperative that owns or operates overhead transmission or distribution assets shall submit to the commission a report that includes:
  - (1) a summary description of hazard recognition training documents provided by the utility or electric cooperative to its employees related to overhead transmission and distribution facilities; and
  - (2) a summary description of training programs provided to employees by the utility or electric cooperative related to the National Electrical Safety Code for the construction of electric transmission and distribution lines.
- (b) An electric utility, municipally owned utility, or electric cooperative shall submit an updated report not later than the 30th day after the date the utility or electric cooperative finalizes a material change to a document or program included in a report submitted under Subsection (a).
- (c) Not later than May 1 every five years, each electric utility, municipally owned utility, and electric cooperative that owns or operates overhead transmission facilities greater than 60 kilovolts shall submit to the commission a report for the preceding five-year period ending on December 31 of the preceding calendar year that includes:
  - (1) the percentage of overhead transmission facilities greater than 60 kilovolts inspected for compliance with the National Electrical Safety Code relating to vertical clearance in the reporting period; and
  - (2) the percentage of the overhead transmission facilities greater than 60 kilovolts anticipated to be inspected for compliance with the National Electrical Safety Code relating to vertical clearance during the five-year period beginning on January 1 of the year in which the report is submitted.
- (d) Subject to Subsection (f), not later than May 1 of each year, each electric utility, municipally owned utility, or electric cooperative that owns or operates overhead transmission facilities greater than 60 kilovolts shall submit to the commission a report on the overhead transmission facilities for the preceding calendar year that includes information regarding:
  - (1) the number of identified occurrences of noncompliance with Section 38.004 regarding the vertical clearance requirements of the National Electrical Safety Code for overhead transmission facilities;
  - (2) whether the utility or electric cooperative has actual knowledge that any portion of the utility's or electric cooperative's transmission system is not in compliance with Section 38.004 regarding the vertical clearance requirements of the National Electrical Safety Code; and
  - (3) whether the utility or electric cooperative has actual knowledge of violations of easement agreements with the United States Army Corps of Engineers relating to Section 38.004

regarding the vertical clearance requirements of the National Electrical Safety Code for overhead transmission facilities.

Note: U S Army Corps of Engineers have jurisdiction over all navigable water in the United States. Their clearance requirements and easement agreements are usually stricter than the NESC but the more stringent regulation of the two shall be conformed to.

- (e) Subject to Subsection (f), not later than May 1 of each year, each electric utility, municipally owned utility, or electric cooperative that owns or operates overhead transmission facilities greater than 60 kilovolts or distribution facilities greater than 1 kilovolt shall submit to the commission a report for the preceding calendar year that includes:
  - (1) the number of fatalities or injuries of individuals other than employees, contractors, or other persons qualified to work in proximity to overhead high voltage lines involving transmission or distribution assets related to noncompliance with the requirements of Section 38.004; and
  - (2) a description of corrective actions taken or planned to prevent the reoccurrence of fatalities or injuries described by Subdivision (1).
- (f) Violations resulting from, and incidents, fatalities, or injuries attributable to a violation resulting from, a natural disaster, weather event, or man-made act or force outside of a utility's or electric cooperative's control are not required to be included in the portions of the reports required under Subsections (d) and (e).
- (g) Not later than September 1, each year the commission shall make the reports publicly available on the commission's Internet website.
- (h) A report, and any required information contained in a report, made on an incident or violation under this section is not admissible in a civil or criminal proceeding against the electric utility, municipally owned utility, or electric cooperative, or the utility's or electric cooperative's employees, directors, or officers. The commission may otherwise take enforcement actions under the commission's authority.

#### **SECTION 38.004. MINIMUM CLEARANCE STANDARD**

- (a) Notwithstanding any other law, a transmission or distribution line owned by an electric utility or an electric cooperative must be constructed, operated, and maintained, as to clearances, in the manner described by the National Electrical Safety Code Standard ANSI (c)(2), as adopted by the American National Safety Institute and in effect at the time of construction.

Means that even if something is written that is opposite in meaning to the provision; the provision will still apply. It is a formal way of saying that the provision will ALWAYS apply. In this case, even if the act or any other law says something opposed to that provision, it doesn't matter.

- (b) An electric utility, municipally owned utility, or electric cooperative shall meet the minimum clearance requirements specified in Rule 232 of the National Electrical Safety Code Standard ANSI (c)(2) in the construction of any transmission or distribution line over all of the 178 lakes listed in this section.

## Lakes Listed In Section 38.004

- |                         |                          |                          |
|-------------------------|--------------------------|--------------------------|
| 1. Abilene              | 44. Clyde                | 87. Jacksonville         |
| 2. Alan Henry           | 45. Coffee Mill          | 88. J. B. Thomas         |
| 3. Alvarado Park        | 46. Coleman              | 89. Joe Pool             |
| 4. Amistad              | 47. Coleta Creek         | 90. Kemp                 |
| 5. Amon G. Carter       | 48. Colorado City        | 91. Kickapoo             |
| 6. Aquilla              | 49. Conroe               | 92. Kirby                |
| 7. Arlington            | 50. Cooper               | 93. Kurth                |
| 8. Arrowhead            | 51. Corpus Christi       | 94. Lady Bird            |
| 9. Athens               | 52. Crook                | 95. Lake O' The Pines    |
| 10. Austin              | 53. Cypress Springs      | 96. Lavon                |
| 11. Averhoff            | 54. Daniel               | 97. Leon                 |
| 12. B. A. Steinhagen    | 55. Davy Crockett        | 98. Lewisville           |
| 13. Bachman             | 56. Diversion            | 99. Limestone            |
| 14. Balmorhea           | 57. Dunlap               | 100. Livingston          |
| 15. Bardwell            | 58. Eagle Mountain       | 101. Lone Star           |
| 16. Bastrop             | 59. E. V. Spence         | 102. Lost Creek          |
| 17. Baylor Creek        | 60. Fairfield            | 103. Lyndon B. Johnson   |
| 18. Belton              | 61. Falcon               | 104. Mackenzie           |
| 19. Benbrook            | 62. Fayette County       | 105. Marble Falls        |
| 20. Big Creek           | 63. Findley              | 106. Marine Creek        |
| 21. Bob Sandlin         | 64. Fork                 | 107. Martin Creek        |
| 22. Bonham              | 65. Ft Parker State Park | 108. McClellan           |
| 23. Bonham State Park   | 66. Ft Phantom Hill      | 109. Medina              |
| 24. Brady Creek         | 67. Fryer                | 110. Meredith            |
| 25. Brandy Branch       | 68. Georgetown           | 111. Meridian State Park |
| 26. Braunig             | 69. Gibbons Creek        | 112. Mexia               |
| 27. Brazos              | 70. Gilmer               | 113. Mill Creek          |
| 28. Bridgeport          | 71. Gladewater           | 114. Millers Creek       |
| 29. Brownwood           | 72. Gonzales             | 115. Mineral Wells       |
| 30. Bryan               | 73. Graham               | 116. Monticello          |
| 31. Bryson              | 74. Granbury             | 117. Moss                |
| 32. Buchanan            | 75. Granger              | 118. Mountain Creek      |
| 33. Buffalo Creek       | 76. Grapevine            | 119. Muenster            |
| 34. Buffalo Springs     | 77. Greenbelt            | 120. Murvaul             |
| 35. Caddo               | 78. Halbert              | 121. Nacogdoches         |
| 36. Calaveras           | 79. Hawkins              | 122. Naconiche           |
| 37. Canyon              | 80. Holbrook             | 123. Nasworthy           |
| 38. Casa Blanca         | 81. Hords Creek          | 124. Navarro Mills       |
| 39. Cedar Creek         | 82. Houston              | 125. New Ballinger       |
| 40. Champion Creek      | 83. Houston County       | 126. Nocona              |
| 41. Choke Canyon        | 84. Hubbard Creek        | 127. Oak Creek           |
| 42. Cisco               | 85. Inks                 | 128. O. C. Fisher        |
| 43. Cleburne State Park | 86. Jacksboro            | 129. O. H. Ivie          |

130. Palestine	149. Squaw Creek	168. Welsh
131. Palo Duro	150. Stamford	169. Wheeler Branch
132. Palo Pinto	151. Stillhouse Hollow	170. White River
133. Pat Cleburne	152. Striker	171. White Rock
134. Pat Mayse	153. Sulphur Springs	172. Whitney
135. Pinkston	154. Sweetwater	173. Wichita
136. Placid	155. Tawakoni	174. Winnsboro
137. Possum Kingdom	156. Texana	175. Winters-Elm Creek
138. Proctor	157. Texoma	176. Wood
139. Purtil Creek	158. Timpson	177. Worth
140. Quitman	159. Toledo Bend	178. Wright Patman
141. Raven	160. Tradinghouse Creek	
142. Ray Hubbard	161. Travis	
143. Ray Roberts	162. Twin Buttes	
144. Red Bluff	163. Tyler	
145. Richland-Chambers	164. Waco	
146. Sam Rayburn	165. Walter E. Long	
147. Sheldon	166. Waxahachie	
148. Somerville	167. Weatherford	

## 2017 NESC Vertical Clearances

### Railways

Neutral	23.5 ft
TPX	24 ft
Dist. Primary	26.5 ft

### Highways – TX Administrative Code

Communications and Cable TV	18 ft
Electrical Lines	22 ft

### Trucks Over 8 ft.

Neutral and Span Guy	15.5 ft
TPX	16 ft
Dist. Primary	18.5 ft

### Fields, Orchards, Forest, Etc.

Neutral and Span Guy	15.5 ft
TPX	16 ft
Dist. Primary	18.5 ft

### Pedestrians Only

Neutral and Span Guy	9.5 ft
TPX	12 ft
Dist. Primary	14.5 ft

### Water – No Sailboat

Neutral and Span Guy	14 ft
TPX	14.5 ft
Dist. Primary	17 ft

Waterways Suitable for Sailing		Rigging or Launching Areas
<b>Less Than 20 Acres</b>		
Neutral and Span Guy	17.5 ft	22.5 ft
TPX	18 ft	23 ft
Dist. Primary	20.5 ft	25.5 ft
<b>20 to 200 Acres</b>		
Neutral and Span Guy	25.5 ft	30.5 ft
TPX	26 ft	31 ft
Dist. Primary	28.5 ft	33.5 ft
<b>200 to 2,000 Acres</b>		
Neutral and Span Guy	31.5 ft	36.5 ft
TPX	32 ft	37 ft
Dist. Primary	34.5 ft	39.5 ft
<b>Over 2,000 Acres</b>		
Neutral and Span Guy	37.5 ft	42.5 ft
TPX	38 ft	43 ft
Dist. Primary	40.5 ft	45.5 ft